

DAVIS CITY COUNCIL AND DAVIS MUNICIPAL AUTHORITY
MONDAY, AUGUST 12, 2019 7:00 P.M.
DAVIS CITY HALL
227 EAST MAIN

1. Call to order Davis City Council by Stan Jones. Time: 7:00 p.m.
2. Roll Call: Mayor Brian Davis, absent, Vice-Mayor Stan Jones, yes, Councilman Josh Oakley, yes, Councilman Clint Grinstead, yes.
3. Prayer led by Stan Jones.
4. Pledge of Allegiance led by Stan Jones.
5. Consideration and possible action to approve Consent Agenda including minutes of prior meetings and claims. Oakley made motion to approve. Second by Grinstead. Vote: Oakley, yes, Grinstead, yes, Jones, yes.
6. No items removed from Consent Agenda.
7. Tabled. Consideration and possible action to approve letter from Rahhal, Henderson, and Willis to prepare all documents for 2018-19 Budget. Tom said this is something they do every year, getting all the prep work ready for the auditors. The 2017-18 budget is in the hands of the auditors now so soon as they get that done, we will be able to get started on the year that just ended. Clint asked if this was a contract. Tom said yes, Marek had it in his hands. Attorney Mark said it was an agreement on what they will do for us and what we will pay them. Clint said it looked like they are having a monthly increase, is that correct? It says reconciling the bank account balances and we were unable to get it this month, so do we get a credit when they are too busy to reconcile for the month. Tom said this is the first he's heard about it. He said he would have to ask because he didn't know they weren't reconciled. Clint said so approving this, it means we approve a one-year contractual agreement with them with an increase of \$350 per month. Mark said yes. Clint said he wasn't familiar with last contract but have the hourly rates gone up at all. Tom said the partner level went up \$35 and the rest is the same. Clint said there's a lot of language in there saying they're not liable for anything, basically they're not stating that anything they put in here is correct, truthful or is that their normal verbiage for this. Tom said it's the same letter as last years with the difference of pricing. He doesn't remember it being three pages long before, that's why he had Attorney to read it. Clint asked Mark his opinion. Mark said it was a typical agreement, he didn't see any red flags or major issues that concerned him. Clint was concerned with if they find anything wrong, would they come to us and let us know or leasing themselves as liability. Mark said all it means in the event we get audited; they won't be held liable or responsible. Councilmen wanted to speak with Rheba and get a better understanding. Tom said to his understanding Rheba is out of pocket for the next couple of months, but he could get someone out of her office to try to make next meeting to answer the questions you have. Clint said he doesn't have a problem with the service they provide, they do a good job with that. Oakley stated that he thought it would be good for someone to come that way both sides could have a better understanding. Tom said they \$1350.00 was for them getting everything reconciled and getting everything ready for the audit. Anything else, like them doing payroll, we get charged an extra fee. Councilman agreed to table until next they could get a representative here from their office to give better clarification.
8. Consideration and possible action to approve Brandy Claxton to withdraw her lump sum contribution from OMRF. Oakley made motion to approve Brandy to withdraw her lump sum contribution from OMRF. Second by Grinstead. Vote: Oakley, yes, Grinstead, yes, Jones, yes. Tom said this would be the funds that she has paid in. She is not entitled to any matching funds that the City does.
9. Consideration and possible action on presentation from Bruce Bumgartle regarding curve in driveway. Bruce said he was at Council meeting as couple years ago with his concerns on South fourth street regarding the curve that was put in his driveway, which was supposed to be a speed bump. That was not what he had agreed, and this was supposed to be a temporary fix., and two years later, the temporary fix is still there. He had to replace two tires on his wife's car due to the rebar sticking out. To his understanding Tom and Clint came out today to look at it but his question is who is going to fix it and foxed correctly. Tom said we will shift the elevation to make sure it's going down. It's not a lot of elevation, our guys pour concrete a lot and they are qualified to do that.

Mr. Bumgarlte said due to respect, the gentleman that came and put the speed bump in, the curve, said he had never done it before. I respectfully ask for someone who has knowledge to come do it so that it will get fixed right. He has been patient for two years now. Tom said looking at it today, they decided that it's not going to be a speed bump there, it's going to slope back towards the road. They will go into your driveway just a little bit and make it a little higher there, even with your driveway. That should not cause any problems to any vehicles. He understands that the roads were that way before he got here. Mr. Bumgartle asked when they were going to do fourth street. Tom said he couldn't tell him that. Clint said what he and Tom talked about today was where the slope the approach up, the light grade into the driveway a couple of feet that way the top of the slope was the same as the curve, so that it essentially holds the same amount of water that the curve does and it will be a better transition for you to get in and out than what you have now. Mr. Bumgartle said he understood that it takes time and that we can put all new roads in this town all we want but if we don't take care of the drainage issues first, the road will get washed away and be worse. Tom said the issue with third street, we are doing two things at once. We're fixing the drainage issues as they go along fixing the roads and when they put more roads in, he hopes they can do it this way. It cost a whole lot more money this way, but hopefully it will help. Mr. Bumgartle also spoke on the drainage in his alleyway. They came in with a backhoe couple years ago and dug it out a bit, but the problem is that trash collects there. Tom said it's like the alley behind his house, half of the alley still belongs to him. Mr. Bumgarlte said he understood that and that he's been the only one taking care of it, but he hasn't done much this year just to prove a point. Tom said he doesn't remember anything being said two years ago. The City only owns the utility easement through there and the drainage in your case. We had a drainage plan created with an engineer, but council chose not to adopt it. Mr. Bungarlte said so we just drop it for two years now. Tom said all the funds we have now are going to third street. Mr. Bumgartle said what if you say give us time, give us time and I come to you and say I can't pay my property taxes, he doesn't have money, what's an acceptable time for someone to be patient. Tom said he couldn't answer that. He said it seems to be a lot of questions you can't answer. Tom said he looked at it today with Clint and came up with a plan and they told your wife that they probably wouldn't be on it tomorrow but could the next day, pending any emergencies that could happen. Mr. Bumgartle asked how long it would take. Tom said he couldn't answer that. Clint said more than likely you will have to wait on the concrete to cure some, probably at least a couple of days, the longer the better. He also apologized to him for not getting back in touch with him, he was busy, then Tom got busy, then he was working out of town so that's why it's taken another month or longer. He just wanted to let him know where they've been for the last month or so. Mr. Bumgarlte told him he appreciated it.

10. Consideration and possible action on presentation from OMAG-Law Enforcement Specialist, Kevin McCullough, regarding awarded grant to be used towards the purchase of 11 (eleven) Davis Police Body Cameras. Mr. McCollough said Davis Police Department applied for a grant for body cameras and grant was approved for \$10,000.00 to go towards them. It offers safety and shows the community that the PD is being accountable or transparent with the community. They have already received the check. Clint asked Danny if these were the ones that they were wearing, Danny said no, these will have more technology.
11. Consideration and possible action to approve Resolution #553 from Davis SODA Reap grant to apply for funding for 2 (two) outdoor warning signals. Grinstead made motion to approve Resolution #553 from Davis SODA Reap grant to apply for funding for 2 outdoor warning signals. Second by Oakley. Vote: Oakley, yes, Grinstead, yes, Jones, yes. Junior Copenbarger spoke regarding this and said that the total for two of these is \$42,000.00. They will replace the one at Carter Addition and the other will go to Golden Meadows Addition. They have battery back-ups on them and if lose power, they have 17 minutes of reserve power. They have a five-year warranty on them. We already have two new ones at Farm Bureau and 77 Grill. Clint asked about the one on Benton Street. They said they would move some of the older ones there. The one at Water plant could be moved since they put a new one at Farm Bureau. Clint said he wasn't familiar with REAP grants asked if this was 100% grant. Junior said it was a \$5,000 match from the City and \$36,100 something from them. Tom said you could apply for a \$52,000 there is nothing that says you have to have matching funds, but you want to get them approved so your willing to put some money out.
12. Discussion and possible action on update on 3rd Street. Ron Gillihan said the concrete guy said he should be done with the intersection on Tuesday and they should be totally done in about three weeks. Tom said they will have to wait till Wednesday for concrete to be done.
13. Consideration and possible action on presentation with Brandon Meador with Beyond Brotherhood concerning 7th Street park. Oakley made motion to approve Beyond Brotherhood and allow them to upkeep and take over. Second by Grinstead. Vote: Oakley, yes, Grinstead, yes, Jones, yes. Brandon said they run a non-profit for Veteran's here in town and they would like to do things for the community for them.

He was asked by Superintendent from school if they would like to sponsor the flagpole at the High School, so they are going to do that, and they are going to have a Veteran's Day parade this year. But he wanted to talk about the park on 7th Street and work with the City and City Manager on fixing it up, trimming trees and mowing, they will provide man power and some funds, they are not funded by anyone but they do get funded by getting out an working. Whatever funds they can provide, they would like to put some grills in there. If you allow, he would like to find the family that donated the park, if they have a Veteran, he would like to dedicate it them or if not, he would like to find a war Veteran to dedicate it to. If there is money set aside after they get done, they would like to have a grand opening and let the City know it is up and running to give back to our community. Families can use it, especially the ones that live on that side of town, so they wouldn't have to cross Main Street to get to the other one. They would also like to put a real nice sign with the Veteran Memorial that they dedicate it to. Tom said so far, we got the names that donated it to the City but haven't had any luck contacting them. It's his understanding that when it was given to the City, it was to be used as a park, we can't sell it or give it away, it must be used as a park. When Brandon brought it to him, he thought it was a great idea and he told him about some of the funds we had sit aside to put some playground equipment in. Clint asked about the money set aside for it. Tom said there was \$47,000 set aside for playground equipment for that park. At one time they were wanting to put a pavilion in with playground equipment looking to be around \$20,000-\$30,000 so we should be able to put both in.

14. Discussion and possible action regarding the condition of Police Department vehicles and the use and availability to the other officers. Clint put this on agenda, and he visited with PD during budget time on the vehicle's conditions. The gold Charger is a 09 model was listed as poor condition and he visited with a couple of officers in the last few weeks and they was concerned with it, one called it a "death trap" and the other one said it just wasn't safe. He visited with Danny he has upgraded the suspensions and upgraded it all since then and said it was safe. His concern was that it was brought to him as a safety issue and he wanted to address it and see. We also have a brand-new unit out there that the Lieutenant drives and he guesses it isn't used it very much, it just sits. Danny said he had been on vacation, but he does use it eight hours a day and patrols in it unless he has a case going on or working on monthly reports or downloading video cams. Clint asked if those vehicles are available to night shift officers during the night when he isn't here, if their unit breaks down, they can walk in and get a set of keys and drive it. Danny said they have access to everything, if not, they can contact him, the keys are accessible. Clint said so all the other units, the keys are all locked up the same as all the others. Danny said there is different access. They've had unit to go to shop, so he drove his personal vehicle since he gave his old unit to Seth. The park had an extra vehicle that wasn't being used, so that's the one he is driving right now. Clint said so his question is are keys available to every unit for the night shift. Danny said all cars are not available at any given time, should they need a unit, they can call him, and he will let them take a car. He also stated that he kept every unit up on the maintenance end, anytime something is wrong with them, he takes them to the shop to get fixed. Tom said to his knowledge, none of the officers have filed a complaint about the units they are driving. Clint asked if he had gotten him the information, he requested regarding putting two officers in one unit. Danny said no. Clint asked if he could have that by next month's meeting, about putting a day shift and night shift in same vehicle, two officers per one unit so that you wouldn't need so many units. Attorney Melton told Clint that he was dangerously close to crossing the line with day to day operations and how's that's done and that he needed to be careful about that. Clint said he would leave that for budget time. We'll take that into consideration when we revisit the budget.
15. Public Safety Report by Dan Cooper. They have been controlling construction zones per Ron's Gillihan, with Pavers request. Main concern when school starts this week and with the construction zone, they will redirect the buses like they have been doing for funerals to come off second street, that way they will have a straight shot. They have all the applications (8) in for the SRO and they will start going through all of them and until that time, we will use reserves like they did last year.
16. Chamber Report by Stephanie. They are having a back to school supply drive. New Pathway Church will have a ribbon cutting on Friday, August 16th. August 22nd at the Chamber Meeting, they are inviting the two candidates, Jeremy Bumgarner and Jason Ward, running for Council seat to attend and speak. September 30th is the golf tournament. Apex Vaping is the Business of the Month.
17. MCIA Report. Tom said Melissa was at a conference and couldn't make it. The only she wanted to let you know was that the contract with the Rickey Hayes will expire at the end of this month and we've made the final payment.
18. No City Treasurer Report.

19. City Manager Report by Tom Graham. We will be receiving the Methodist Church on 3rd Street soon and one of the ideas I would like you to consider is taking the North end of the building and creating a council chamber. We will have four to five times as much space to have a table for the council that gives extra shoulder space and the room will fit a lot more citizens than what we have now. As soon as I get the keys, we can do a walk through. Planning and zoning board lost a member and will be looking for a new member, hoping to have a name chosen next month if anyone has a thought, please let them know. There will be an Economic Development Workshop with Murray County in early October. Would like for 2 council members to try and attend, if possible. This will be conducted through Melissa Pratt's office. Remember we have an election on September 10th so please remind citizens to get out and vote. You must be registered by August 16th.
20. Appearances and petitions from the audience. (Limit of three (3) minutes for each.) Josh Suther was concerned about the water being shut off at 6:30 a.m. Tuesday morning to fix a water leak and the notification went out around 4:00 this afternoon, which is a short notice. That is the time that everyone is getting up to get ready for work and need water at that time. Tom said he knew that it was going to be shut off tomorrow morning; however, he didn't know that time was set. Bert said they would like to have it back on around 7:30 that morning. There's only going to be a few amount of people that will be completely out. A lot of them will still have the water in the tower by doing it early in the morning. He said Hazelwood and east will still have water.
21. New Business: Discussion and possible action concerning any matter not known which could not have been foreseen prior to the posting of this agenda.
22. Adjourn. Oakley made motion to adjourn. Second by Grinstead. Vote: Oakley, yes, Grinstead, yes, Jones, yes.

ATTEST:

Cheryl Dodds, City Clerk

Brian Davis, Mayor

DAVIS MUNICIPAL AUTHORITY MEETING
MONDAY, AUGUST 12, 2019 7:00 P.M.
DAVIS CITY HALL
227 EAST MAIN

1. Call to order Davis Municipal Authority by Stan Jones.
2. Roll Call: Chairman Brian Davis, absent, Vice-Chairman Stan Jones, here, Trustee Josh Oakley, here, Trustee Clint Grinstead, here.
3. Consideration and possible action to approve Consent Agenda including minutes of prior meetings and claims. Oakley made motion to approve. Second by Grinstead. Vote: Oakley, yes, Grinstead, yes, Jones, yes.
4. No items removed from Consent Agenda.
5. Tabled. Consideration and possible action concerning Jim Noland's proposal on Beer Concession at Turner Falls Park. Jim Noland told Council that he would like to sale beer in his concession, The Main Grill, out at Turner Falls Park. He and his wife Julie have been concession owners out there for 35 years. He would stop selling food and just sell beer. He asked for a 5-year extension to cover his expenses and said he would pay \$7,500 a year starting in 2020. Councilmen talked about it going out for bids. It was brought up regarding if he could be the only one selling it but after discussion, they agreed someone on the bottom needs to sell as well, if voted to approve. Councilmen decided to table it until October's Turner Falls Workshop.

***** Mayor, Brian Davis, showed up to Meeting*****

6. Discussion and possible action regarding condition of vehicles in Maintenance Department at Turner Falls Park. Clint said he put this on there because he was contacted by some employees down there that they're having a lot of trouble keeping the vehicles going and they walk a bunch to pick up trash, which I know you have to walk to pick it up but he just wanted to address it since it was brought to his attention. His concerns were that they weren't being air conditioned, but his first thought was, why can't they be on a side-by-side, opened with plenty of air and you can put your trash in the back of it. Billy said as far as walking and picking up trash, they will have to do that, that's all there is to it. Some vehicles do need a little work on them. Housekeeping needs some new vehicles and he does need to replace some. Maintenance vehicles, one was used out at the Ranch when he worked over there, it's in pretty rough shape. He has another he drove while being Maintenance Supervisor, it is rough body wise and anterior wise, but it is safe. They parked some old ones a year ago. He said the biggest concern was in housekeeping. Clint asked if they could hold everything in a side-by-side. Billy said yes, they could. He said he understood about being hot in the vehicles. He doesn't stay in his office of the weekends. Councilmen asked if he had money in his budget to get some side-by-sides or trucks, he said yes, he does. His main concern is the housekeeping vehicles. Councilmen decided they could discuss more on this during the Turner Falls Workshop being that summer is almost over.
7. Turner Falls Report by Billy Standifer. Everything in park is starting to slow down now that schools are starting. Still getting day people.
8. Public Works Director Report by Bert Curtis. Have been working on big water leak. Tom asked if Carter Addition would be affected by this. Bert said yes.
9. No appearances and petitions from the audience. (Limit of three (3) minutes for each.)
10. No New Business: Discussion and possible action concerning any matter not known which could not have been foreseen prior to the posting of this agenda. Attorney Melton said the City received a letter with a request to expunge a case from 2017. He said the case was filed in July 2017 and dismissed in December 2019. Due to the nature of the case, his suggestion is to not sign off on the request.
11. Adjourn. Jones made motion to adjourn. Second by Grinstead. Vote: Oakley, yes, Grinstead, yes, Jones, yes, Davis, yes. Time 9:15.

ATTEST:

Cheryl Dodds, City Clerk

Brian Davis, Chairman